

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

| | | |
|-------------------------------|---|----------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| V. |) | CIVIL ACTION NO. SA-17-CV-282-XR |
| |) | |
| TIFFANY AND COMPANY PLATINUM |) | |
| AND DIAMOND SOLITAIRE RING, |) | |
| SERIAL NO. 35454462; |) | |
| |) | |
| 14K WHITE GOLD PRINCESS CUT |) | |
| DIAMOND EARRINGS; |) | |
| |) | |
| CARTIER PASHA SEATIMER WITH |) | |
| STEEL RUBBER WATCHBAND, |) | |
| SERIAL NO. 480812SX; |) | |
| |) | |
| BALLON BLEU DE CARTIER WATCH, |) | |
| 33MM QUARTZ MOVEMENT, SERIAL |) | |
| NO. 544559SX; AND |) | |
| |) | |
| BREITLING NAVITIMER LIMITED |) | |
| EDITION MENS WATCH, SERIAL |) | |
| NO. 3144690; |) | |
| |) | |
| Respondents. |) | |

**MOTION TO DISMISS PETITIONER UNITED STATES
OF AMERICA'S VERIFIED COMPLAINT FOR FORFEITURE**

Comes now Petitioner the United State of America, by and through the United States Attorney for the Western District of Texas, John F. Bash, and the undersigned Assistant United States Attorney, and respectfully files this Motion to Dismiss Petitioner United States of America's Verified Complaint for Forfeiture, and in support thereof states the following:

I.

On April 5, 2017, the Government commenced this forfeiture action upon the filing of a Verified Complaint for Forfeiture (Doc. 1), seeking forfeiture of the above-captioned properties,

hereinafter the Respondent Properties, pursuant to Title 18 U.S.C. §§ 981(a)(1)(A) & 981(a)(1)(C), for violations of Title 18 U.S.C. § 1957 and pursuant to Title 21 U.S.C. § 881(a)(6), for violations of Title 21 U.S.C. § 801, *et. seq.*

On April 19, 2017, an Indictment (Doc. 16) was returned in criminal case SA-17-CR-293-XR, charging Defendant Alexis Edward Alvarez with violations of Title 21 U.S.C. §§ 846 & 841 and with violations of Title 18 U.S.C. §§ 1956 & 1957. The Indictment contains a Notice of Demand for Forfeiture pursuant to Title 21 U.S.C. §§ 853(a)(1) & (2) and pursuant to Title 18 U.S.C. § 982(a)(1), which includes notice of the Government's intent to seek forfeiture of the Respondent Properties.

II.

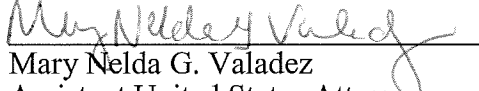
Accordingly, because the Respondent Properties have been included in the Notice of Demand for Forfeiture within the Indictment of criminal case SA-17-CR-293-XR, the United States seeks the dismissal of the Verified Complaint for Forfeiture in the instant case.

WHEREFORE, PREMISES CONSIDERED, Petitioner United States of America respectfully moves this Honorable Court for an Order dismissing the Verified Complaint for Forfeiture.

Respectfully submitted,

JOHN F. BASH
United States Attorney
Western District of Texas

By:


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Texas Bar No. 20421844

Attorneys for the United States of America

CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2018, the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System which will transmit notification of such filing to the following CM/ECF participant while notification via certified mail, return receipt requested, will be sent to any non-CM/ECF participant:

John A. Convery
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San Antonio, TX 78210
hasconpc@aol.com
Attorney for Claimant Alexis E. Alvarez

Misty Alvarez
18202 Girasole
San Antonio, TX 78258
Claimant, *Pro Se*

/s/ _____
Mary Nelda G. Valadez
Assistant United States Attorney

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ORDER

Came on to be considered Petitioner United States of America's Motion to Dismiss the Verified Complaint for Forfeiture, and this Court, having considered the same and being fully and wholly apprised in all its premises, finds that said Motion is meritorious and should be and hereby is in all things GRANTED. IT IS THEREFORE

ORDERED that Petitioner United States of America's Verified Complaint for Forfeiture filed in the instant case is hereby dismissed, and the facts of same shall remain sealed until further order of the Court.

Signed this _____ day of _____, 2018.

XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE